

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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THE NEW YORK CITY DISTRICT COUNCIL OF  
CARPENTERS PENSION FUND, NEW YORK CITY  
DISTRICT COUNCIL OF CARPENTERS WELFARE  
FUND, NEW YORK CITY DISTRICT COUNCIL OF  
CARPENTERS VACATION FUND, NEW YORK CITY  
DISTRICT COUNCIL OF CARPENTERS ANNUITY  
FUND, NEW YORK CITY DISTRICT COUNCIL  
OF CARPENTERS APPRENTICESHIP, JOURNEYMAN  
RETRAINING, EDUCATIONAL AND INDUSTRY  
FUND, NEW YORK CITY DISTRICT COUNCIL OF  
CARPENTERS CHARITY FUND, and THE NEW YORK  
CITY AND VICINITY CARPENTERS LABOR-  
MANAGEMENT COOPERATION FUND,  
by MICHAEL J. FORDE and PAUL O'BRIEN,  
as TRUSTEES, AND MICHAEL J. FORDE, AS  
EXECUTIVE SECRETARY-TREASURER, DISTRICT  
COUNCIL FOR NEW YORK CITY AND VICINITY,  
UNITED BROTHERHOOD OF CARPENTERS AND  
JOINERS OF AMERICA,

07 CV 11368 (LTS)  
ECF CASE

**NOTICE OF MOTION**

Plaintiffs,

-against-

TKO CONTRACTING CORP.,

Defendant.

-----X  
C O U N S E L :

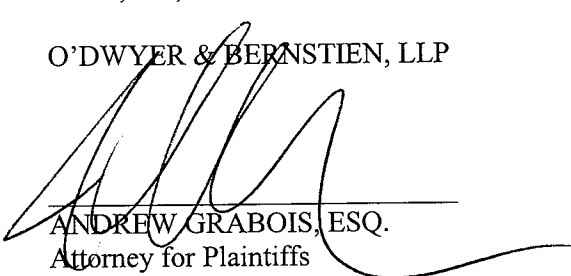
PLEASE TAKE NOTICE, that upon the annexed affidavit of Andrew Grabois, Esq. sworn to on April 22, 2008, the stipulated facts and exhibits annexed thereto, and upon all pleadings and proceedings heretofore and herein, the undersigned, on behalf of the plaintiffs, will move this Court before the Honorable Laura T. Swain, United States District Court Judge at the United States Courthouse, Southern District of New York, located at 500 Pearl Street, Courtroom 17-C, New York, New York 10007, at a date and time to be set by the Court, for an Order pursuant to 9 U.S.C. § 9 granting plaintiffs' motion to confirm an arbitration award and directing that judgment be entered and for such other and further relief as the Court deems proper and just.

Dated: New York, New York  
April 22, 2008

Yours, etc.,

O'DWYER & BERNSTIEN, LLP

By:



ANDREW GRABOIS, ESQ.  
Attorney for Plaintiffs  
52 Duane Street, 5th Floor  
New York, New York 10007  
(212) 571-7100

TO: TKO Contracting Corp.  
560 Fellowship Road  
Mount Laruel, NJ 08054